

05-11-07

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS :	Miller, et al.	CONFIRMATION NUMBER :	Not yet assigned
SERIAL NUMBER :	10/594,483	EXAMINER :	Not yet assigned
FILING DATE :	April 5, 2005	INT'L APPLICATION NO :	PCT/US05/011463
PRIORITY DATE :	April 5, 2004	ART UNIT :	Not yet assigned
FOR :	Histone Deacetylase Inhibitor Prodrugs		



MAIL STOP AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Transmitted herewith for filing in the present application are the following documents:

1. Information Disclosure Statement (2 pages) in duplicate;
2. Modified Form PTO-1449 (2 pages); in duplicate;
3. Cited References A1-A10; B1-B6; C1-C52; and
4. Return Postcard.

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (212) 935-3000.

The Commissioner is authorized to charge any fees that may be due or to credit any overpayment of same to the undersigned's account, Deposit Account No. **50-0311**, Customer Number: **35437**, Reference Number: **24852-505 NATL**.

Respectfully submitted,

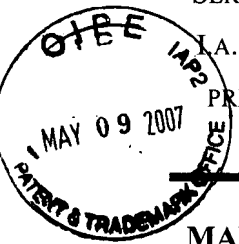
Dated: May 9, 2007

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INFORMATION DISCLOSURE STATEMENT

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicants hereby make of record the documents listed on the attached modified Form PTO-1449 (submitted in duplicate) in the above-identified application, copies of which are submitted herewith. In accordance with MPEP §609(III)(A)(2), copies of the cited U.S. patents and U.S. publications are not required.

This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-identified application. Accordingly, no fee or certification is believed required.

It is respectfully requested that the Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims. It is also respectfully requested that the Examiner initial, sign and date, and return a copy of the signed modified Form PTO-1449 with the next U.S. PTO communication, to evidence that the cited information has been fully considered by the U.S. Patent and Trademark Office during the examination of this application.

By submitting this Information Disclosure Statement, the Applicants make no representation that: (1) a search has been performed, the extent of any search performed, or that more relevant information does not exist; (2) the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b); and (3) the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

The order of presentation of the references should not be construed as an indication of the importance of the references. The Examiner is urged to form his/her own conclusion regarding the relevance of the cited information.

Please charge any fees that may be due, or credit any overpayment of same, to Deposit Account No. **50-0311**, Reference No. **24852-505 NATL**, Customer No. **35437**.

Respectfully submitted,

Dated: May 9, 2007

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Date of Deposit: May 9, 2007

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Modified Form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Application Number	10/594,483
International Application Number	PCT/US05/011463
I.A. Filing Date	April 5, 2005
Priority Date	April 5, 2004
First Named Inventor	Miller
Group Art Unit / Conf. No.:	Not Yet Assigned
Examiner Name	Not Yet Assigned
Attorney Docket Number	24852-505 NATL

U.S. PATENT DOCUMENTS

Exam Initials	Cite No.	U.S. Patent Document No.	Issue Date	Name of Patentee(s) or Applicant(s)	Class	Sub Class	Filing Date
	A1	4,522,811	06/11/85	Eppstein, et al.	514	2	07/08/82
	A2	5,369,108	11/29/94	Breslow, et al.	514	266	10/04/91
	A3	5,608,108	03/04/97	Marks, et al.	562	621	04/17/95
	A4	5,700,811	12/23/97	Breslow, et al.	514	314	05/19/94
	A5	5,932,616	08/03/99	Breslow, et al.	514	532	04/04/94
	A6	6,087,367	07/11/00	Breslow, et al.	514	266	05/18/99
	A7	6,511,990	01/28/03	Breslow, et al.	514	314	08/24/00
	A8	7,126,001	10/24/06	Breslow, et al.	546	171	10/25/02
	A8	2003/0235588	12/25/03	Richon, et al.	514	575	02/14/03
	A9	2004/0087657	05/06/04	Richon, et al.	514	575	10/16/02
	A10	2004/0266818	12/30/04	Breslow, et al.	514	310	04/01/04

FOREIGN PATENT DOCUMENTS

Exam Initials	Cite No.	Foreign Patent Document Office Number	Name of Patentee(s) or Applicant(s)	Date of Publication	English Yes No
	B1	WO 97/11366	Merck & Co., Inc.	March 27, 1977	X
	B2	WO 98/48825	The Salk Institute for Biological Studies	November 5, 1998	X
	B3	WO 00/08048	Fujisawa Pharmaceuticals Co., Ltd.	February 17, 2000	X
	B4	WO 05/053610	Aton Pharma, Inc.	June 16, 2005	X
	B5	WO 05/097747	Aton Pharma, Inc.	October 20, 2005	X
	B6	WO 05/348800	Aton Pharma, Inc.	April 21, 2005	X

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Exam Initials	Cite No.	Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc.
	C1	Abe, E., et al., Proc. Natl. Acad. Sci. (USA) 78:4990-4994 (1981)
	C2	Andrews et al., International J. Parasitology 30:761-768 (2000)
	C3	Archer, S. et al., PNAS 95:6791-96 (1998)
	C4	Berge, et al., J. Pharm. Sci., 66:1-19 (1977).
	C5	Brosch et al., Plant Cell 7, 1941-1950 (1995)
	C6	Butler, L.M. et al., Cancer Res. 60:5165-5170 (2000)
	C7	Cohen, L.A. et al., Anticancer Research 19:4999-5006 (1999)
	C8	Cousens et al., J. Biol. Chem. 254,1716-1723 (1979)
	C9	Darkin-Rattray et al., Proc. Natl. Acad. Sci. USA 93,13143-13147 (1996)
	C10	Dressel, U. et al., Anticancer Research 20(2A):1017-22 (2000)
	C11	Ebert, P. S., et al. Cancer Res. 36: 1809-1813 (1976)

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS		
Exam Initials	Cite No.	Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc.
	C12	Finnin, M.S., <i>et al.</i> , <i>Nature</i> 401:188-193 (1999)
	C13	Frey <i>et al.</i> , <i>Bioorganic & Med. Chem. Lett.</i> , 12, 3443-3447 (2002)
	C14	Friend, C., <i>et al.</i> , <i>Proc. Natl. Acad. Sci., U. S.</i> , 68:378-382 (1971)
	C15	Grunstein, M., <i>Nature</i> , 389: 349-52 (1997)
	C16	Guan <i>et al.</i> , <i>Cancer Research</i> , 60,749-755 (2000)
	C17	Hayashi, M., <i>et al.</i> , <i>Gann</i> 70: 235-238 (1979)
	C18	Huberman, E. <i>et al.</i> , <i>Proc. Natl. Acad. Sci. (USA)</i> 76: 1293-1297 (1979)
	C19	Kijima <i>et al.</i> , <i>J Biol. Chem.</i> 268,22429-22435 (1993)
	C20	Kim <i>et al.</i> , <i>Oncogene</i> , 18: 2461-2470 (1999)
	C21	Koghe <i>et al.</i> , <i>Biochem. Pharmacol.</i> 56: 1359-1364 (1998)
	C22	Kwon <i>et al.</i> , <i>PNAS</i> 95: 3356-3361 (1998)
	C23	Lea <i>et al.</i> , <i>Anticancer Research</i> , 15, 879-873 (1995)
	C24	Lin, R.J. <i>et al.</i> , <i>Nature</i> 391:811-14 (1998)
	C25	Lotem, J., <i>et al.</i> , <i>Int. J. Cancer</i> 15: 731-740 (1975)
	C26	Lotem, J. <i>et al.</i> , <i>Proc. Natl. Acad. Sci. (USA)</i> 76: 5158-5162 (1979)
	C27	Marks, P. <i>et al.</i> , <i>Cancer Res.</i> 47:659 (1987)
	C28	Marks, P.A. <i>et al.</i> , <i>J. Natl. Cancer Inst.</i> , 92:1210-1215 (2000)
	C29	McBain <i>et al.</i> , <i>Biochem. Pharm.</i> 53: 1357-1368 (1997)
	C30	Metcalf, D., <i>et al.</i> , <i>Science</i> , 229: 16-22 (1985)
	C31	Morin, M. J., <i>et al.</i> , <i>Cancer Res.</i> 44: 2807-2812 (1984)
	C32	Nakajima <i>et al.</i> , <i>Ex. Cell Res.</i> 241,126-133 (1998)
	C33	Qiu <i>et al.</i> , <i>Mol. Biol. Cell</i> 11, 2069-2083 (2000)
	C34	Reuben, R. C., <i>et al.</i> , <i>Proc. Natl. Acad. Sci. (USA)</i> 73: 862-866 (1976)
	C35	Richon <i>et al.</i> , <i>Proc. Natl. Acad. Sci. USA</i> , 93:5705-5708 (1996)
	C36	Richon, V. M. <i>et al.</i> , <i>Proc. Natl. Acad. Sci., USA</i> , 95:3003-3007 (1998)
	C37	Sachs, L., <i>Nature (Lond.)</i> 274: 535 (1978)
	C38	Saito <i>et al.</i> , <i>Proc. Natl. Acad. Sci. USA</i> 96, 4592-4597 (1999)
	C39	Scher, W. <i>et al.</i> , <i>Exp. Hematol.</i> 11: 490-498 (1983)
	C40	Scher, W., <i>et al.</i> , <i>Biochem. & Biophys. Res. Comm.</i> 109: 348-354 (1982)
	C41	Schwartz, E. L. <i>et al.</i> , <i>Cancer Res.</i> 42: 2651-2655 (1982)
	C42	Schwartz, E. L., <i>et al.</i> , <i>Cancer Res.</i> 43: 2725-2730 (1983)
	C43	Schwartz, E. L., <i>et al.</i> , <i>Proc. Am. Assoc. Cancer Res.</i> 24: 18 (1983)
	C44	Su <i>et al.</i> , <i>Cancer Research</i> , 60: 3137-3142 (2000)
	C45	Sugano, H., <i>et al.</i> , <i>Bibl. Hematol.</i> 39: 943-954 (1973)
	C46	Takenaga, K., <i>et al.</i> , <i>Cancer Res.</i> 40: 914-919 (1980)
	C47	Tanaka, M., <i>et al.</i> , <i>Proc. Natl. Acad. Sci. (USA)</i> 72: 1003-1006 (1975)
	C48	Terada, M., <i>et al.</i> , <i>Proc. Natl. Acad. Sci. (USA)</i> 75: 2795-2799 (1978)
	C49	Van Lint, C. <i>et al.</i> , <i>Gene Expression</i> 5:245-53 (1996)
	C50	Wang <i>et al.</i> , <i>Cancer Research</i> 59, 2766-2799 (1999)
	C51	Yoshida, M. <i>et al.</i> , <i>J. Biol. Chem.</i> 265:17174-17179, (1990)
	C52	International Search Report for PCT/US05/011463 mailed July 26, 2005

*a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. _____, filed _____, and relied upon for an earlier filing date under 35 U.S.C. §120 (continuation, continuation-in-part, and divisional applications).

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.